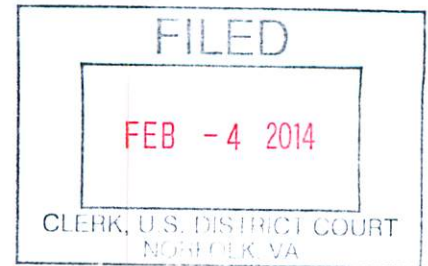


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK/NEWPORT NEWS DIVISION



HIGH, PATRICIA,

Plaintiff,

VS

HAWKINS, EVELYN MARIE

Defendant.

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CIVIL ACTION: 4:13 CV152

AMENDED ANSWER TO COMPLAINT

COMES NOW THE RESPONDENT EVELYN MARIE HAWKINS in
answering the allegations of the Complaint on file herein, affirms, denies and alleges as
follows:

1. Answering the allegations of Paragraph 1-37 of the Complaint herein, Defendant
affirms only facts stated in Paragraphs 3 and 4. Defendant denies all other allegations
stated herein.
2. Answering Count 1 – Copyright Infringement of the Complaint herein, Defendant
denies all allegations.
3. Answering Count 2 – Digital Millennium Copyright Act Claim herein, Defendant
denies all allegations.
4. The Defendant now brings forth the following Affirmative Defenses:

DEFENSE 1 – Lack of Jurisdiction

5. Defendant answering the Complaint herein, alleges that all allegations and counts
brought forth therein fails to state a claim for which relief can be granted. Plaintiff's

alleged copyrighted works were not properly registered. Therefore, this Court lacks jurisdiction to hear this matter.

DEFENSE 2 – Fair Use

6. Defendant answering the Complaint herein, alleges that all allegations and counts brought forth therein fails to state a claim for which relief can be granted. 17 U.S.C. § 107 clearly states “*the fair use of a copyrighted work...for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright*”. Therefore, the Plaintiff has no claim.

WHEREFORE, Defendant prays that the Plaintiff take nothing and the Defendant have judgment against the Plaintiff and recover the costs of suit herein, and such other relief the court may deem proper.

Respectfully submitted by Evelyn Marie Hawkins on this 2th, day of February
2014.



Evelyn Marie Hawkins (Respondent Pro Se)
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Newport News, Virginia 23607
(757) 528-7669

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing

Answer to Complaint was mailed this 4th day of February 2014, to Todd A. Pilot, Esq. at

Pilot Drake & Richardson 526 King Street, Suite 207 Alexandria VA 22314.



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